

Carlos Hernández
Mayor

Isis Garcia-Martinez
Council President

Luis González
Council Vice President



Council Members
Jose F. Caragol
Vivian Casáls-Muñoz
Katharine E. Cue-Fuente
Paul B. Hernández
Lourdes Lozano

City Council Agenda October 14, 2014 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, Acting City Clerk

Pledge of Allegiance led by Councilwoman Vivian Casals-Muñoz

Meeting Guidelines

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

Presentations –

- The Honorable Jorge Cueto and the honorable Ivonne Cuesta, Judges of the Eleventh Judicial Circuit of Florida, host a presentation on the state of the courthouse.
1. Announcement of Amendments/Corrections to the Agenda
 2. Consent Agenda

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A.** Request permission to approve the Summary Agenda/Minutes of the City of Hialeah Council Meeting held on September 23, 2014. (OFFICE OF THE CITY CLERK)
- B.** Request permission to waive competitive bidding, since it is advantageous to the City, and award the Re-Roofing of the Reid Pool to A-1 Property Services Group Inc., vendor submitting the lowest proposal, in a total cumulative amount not to exceed \$16,500. (CONSTRUCTION AND MAINTENANCE DEPT.)
- C.** Proposed resolution approving and ratifying a Grant Agreement between the City and the State of Florida Office of the Attorney General, for a direct award in the amount of \$46,463.00, under the fiscal year 2014-2015 Victims of Crime Act Grant Program, to be utilized for the much needed assistance and services to families experiencing domestic violence within the community. (DEPT. OF GRANTS & HUMAN SERVICES)
- D.** Request permission to utilize State, County or other governmental agency contracts for the purchase of budgeted software, computer and network equipment, without additional City Council approval. (INFORMATION TECHNOLOGY DEPT.)
- E.** Request permission to issue a purchase order to Infor Public Sector, Inc., sole source vendor, to make payment for the maintenance and support of the Police and Fire Computer Aided Dispatch and Records Management Systems for the fiscal year 2014-2015, in a total cumulative amount not to exceed \$228,993.96. (INFORMATION TECHNOLOGY DEPT.)
- F.** Request permission to issue a purchase order to Replay Systems, Inc., sole source vendor, to make payment for the maintenance of the E911 Call Center Active Voice Recording System, in a total cumulative amount not to exceed \$27,671.00. (INFORMATION TECHNOLOGY DEPT.)
- G.** Proposed resolution approving a Maintenance Agreement with Florida Power Technologies, Inc., for the installation, inspection, and maintenance of batteries, technical support and incidental battery and parts replacement, for a term commencing on October 1, 2014 through September 30, 2015, in an annual amount not to exceed \$54,343.00, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Services Agreement attached hereto and made a part hereof as Exhibit "1". (FIRE DEPT.)
- H.** Proposed resolution approving an agreement with Motorola, Inc., for the maintenance, repair, replacement of equipment and on-site infrastructure and technical support, for one year, commencing on October 1, 2014 and ending on September 30, 2015, for the total amount of \$301,115.40, payable in equal monthly installments of \$25,092.95, and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Services Agreement, a copy of which is attached hereto and made a part

hereof as Exhibit “1”, and any other documents necessary to give effect to the intent of the parties as set forth in the terms of the agreement. (FIRE DEPT.)

- I. Request permission to extend Hialeah Bid # 2012/2013-2000-12-047 – *Medical Supplies*, for a period of one year commencing on November 12, 2014 and ending on November 12, 2015, and issue a purchase order to the following vendors: Bound Tree Medical, LLC; Midwest Medical Supply Company, LLC; and Quadmed, Inc., lowest responsive bidders, to purchase medical supplies, in a total cumulative amount not to exceed \$145,000. These vendors were awarded Hialeah Bid # 2012/2013-2000-12-047 – *Medical Supplies* by the City Council on November 12, 2013, with the condition that the period of the contract may be extended, by mutual agreement, for additional twelve month period(s) up to a cumulative total of thirty-six months. (FIRE DEPT.)
- J. Request permission to utilize Minnesota Multi-State Contracting Alliance for Pharmacy Contract # MMS24001, a competitively bid governmental contract, and issue a purchase order to Cardinal Distributors, to purchase pharmaceuticals, vaccines and medical supplies, in a total cumulative amount not to exceed \$55,000. (FIRE DEPT.)
- K. Request permission to issue a purchase order to Tranny Tech Inc., for repairs of transmissions for all City vehicles, in a total cumulative amount not to exceed \$60,000. This vendor was awarded Hialeah Bid #2013/14-3220-12-009 – *Automotive and Light Trucks Transmission Rebuilds*, for a period of one year ending on December 10, 2014, during the City Council meeting of December 10, 2013. (FLEET MAINTENANCE DEPT.)
- L. Request permission to utilize City of Miami Contract # 8889-4/14 and issue a purchase order to Fedan Corp. d/b/a Fedan Tire Co., to purchase recap tires for City vehicles, in a total cumulative amount not to exceed \$150,000. (FLEET MAINTENANCE DEPT.)
- M. Request permission to issue a purchase order to Rainbow Transmission & Auto Center Inc., for Allison transmission rebuilds of City vehicles, in a total cumulative amount not to exceed \$48,000. (FLEET MAINTENANCE DEPT.)
- N. Request permission to award Hialeah Bid # 2014/15-3130-00-001 – *Apparel* and issue a purchase order to the following vendors: Royal “T” Screen Printing Corp., d/b/a Unicommerce; The Player’s Connection of Florida, LLC, and Zipp Sporting Goods Inc, lowest responsive bidders on one or more items, to purchase apparel for patrons, in a total cumulative amount not to exceed \$70,000. (PARKS AND RECREATION DEPT.)
- O. Request permission to award Hialeah Bid # 2014/15-3130-00-003 – *Trophies* and issue a purchase order to the following vendors: Awards, LLC d/b/a TrophyWorld, Inc., and Millennium Awards, Inc., lowest responsive bidders, to purchase trophies and awards for various sports leagues and special events, in a total cumulative amount not to exceed \$14,900. (PARKS AND RECREATION DEPT.)
- P. Request permission to award Hialeah Bid # 2014/15-3130-00-007 – *Carbon Dioxide* and issue a purchase order to Helget Gas Products, Inc., lowest responsive bidder, to purchase carbon dioxide gas to be used as sanitizing solution for City pools, fountains and aquatic

centers, in a total cumulative amount not to exceed \$12,300. (PARKS AND RECREATION DEPT.)

- Q.** Request permission to award Hialeah bid #2014/15-3130-00-006 – *Sodium Hypochlorite* and issue a purchase order to Sentry Industries, Inc., sole responsive bidder, to purchase sodium hypochlorite (liquid bleach) to be used as sanitizing solution for City pools, fountains and aquatic centers, in a total cumulative amount not to exceed \$61,611.75. (PARKS AND RECREATION DEPT.)
- R.** Request permission to award Hialeah bid # 2014/15-3130-00-001 – *Apparel (Staff)*, and issue a purchase order to the following vendors: Royal “T” Screen Printing Corp., d/b/a Unicommerce; The Player’s Connection of Florida, LLC; Aramark Uniform & Career Apparel, LLC; and Zipp Sporting Goods Inc, lowest responsive bidders on one or more items, to purchase uniforms for the department’s staff, in a total cumulative amount not to exceed \$12,600. (PARKS AND RECREATION DEPT.)
- S.** Request permission to issue a purchase order to West Publishing Corporation, sole source vendor, to purchase a one year subscription to CLEAR Investigator services, as well as books, including pocket parts pamphlets and hard bound supplements to be used in conjunction with forfeiture cases, in a total cumulative amount not to exceed \$19,097.49. (POLICE DEPT.)
- T.** Request permission to utilize 2013 UASI Agreement 14-DS-L2-11-23-02-413 and issue a purchase order to General Sales Administration Inc T/A Major Police Supply, for the construction, equipment and installation of license plate readers, in a total cumulative amount not to exceed \$16,322.48. (POLICE DEPT.)
- U.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to the following two vendors: Atrium Personnel, Inc. and Westaff of Broward, Inc., for temporary data entry personnel to process police reports in the Police Department’s Records Management System for fiscal year 2015, in a total cumulative amount not to exceed \$120,000. (POLICE DEPT.)
- V.** Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Lou’s Police Distributors, Inc., to purchase Police uniforms and related accessories during the 2015 fiscal year, in a total cumulative amount not to exceed \$30,000. (POLICE DEPT.)
- W.** Request permission to utilize State of Florida Contract # 645-120-10-1 and issue a purchase order to Mac Papers, for the procurement of paper supply to be allocated through various City departments during fiscal year 2014-2015, in a total cumulative amount not to exceed \$50,000. (PUCHASING DIV.)
- X.** Request from Martinez Holidays, 4580 SW 68 Court Circle, Apt. 8, Miami, Florida 33155, for a permit to host a pumpkin patch at a shopping center located at 775 East 9 Street, from Wednesday, October 15, 2014 through Friday, October 31, 2014, subject to the recommendations of the Hialeah Fire Department. (OFFICE OF THE CITY CLERK)

- Y.** Request from Immaculate Conception Catholic Church, 4497 West 1 Avenue, Hialeah, Florida, for a permit to host a carnival on church grounds, from Thursday, November 13, 2014 through Sunday, November 16, 2014, subject to the recommendations of the Hialeah Police and Fire Departments. (OFFICE OF THE CITY CLERK)
- Z.** Request from Santa Barbara Catholic Church, 6801 West 30 Avenue, Hialeah, Florida, for a permit to host a carnival on church grounds from Thursday, November 6, 2014 through Sunday, November 9, 2014, subject to the recommendations from the Police and Fire Departments. (OFFICE OF THE CITY CLERK)
- AA.** Request from Miami Tri Events, for a Temporary Street Closure permit, for the 2014 Ironman 70.3 Miami on US State Road 27, one lane North and one lane South, on Sunday, October 26, 2014 from 7:00 a.m. to 4:00 p.m. (OFFICE OF THE CITY CLERK)
- BB.** Request permission to award Hialeah Bid # 2014/15-3230-00-021 – *Cultural Park – Irrigation* and issue a purchase order to Visualscape, Inc., second lowest responsive bidder, in a total cumulative amount not to exceed \$74,000. Hurricane Irrigations, Inc., lowest responsive bidder, did not submit an acceptable bid bond. (CONSTRUCTION AND MAINTENANCE DEPT.)
- CC.** Request permission to utilize State of Florida Contract # 973-000-14-01 between the State of Florida Management Consulting Services and KPMG, LLC, and issue a purchase order to KPMG, LLC, to provide two Cost Allocation Plans: (1) a full-cost plan for use in allocating indirect costs to enterprise funds, internal service funds, and certain special revenue funds and (2) a plan prepared in accordance with Title 2 in the Code for Federal Regulations, Subtitle A, Chapter II, Part 225 to be used in allocating indirect costs to the City's federal grants programs, to be applied to the fiscal year ending on September 30, 2013, in a total cumulative amount not to exceed \$18,400. (FINANCE DEPT.)
- DD.** Proposed resolution authorizing the expenditure of funds, in an amount not to exceed \$20,345.00 from the Law Enforcement Trust Fund – State, payable to the Miami Dade County Association of Chiefs of Police, for joint funding to reduce overtime in Miami-Dade County Courts. (POLICE DEPT.)
- EE.** Proposed resolution approving the expenditure totaling an amount not to exceed thirty thousand dollars (\$30,000.00) from the Law Enforcement Training Trust Fund, for the purchase of Speer Brand Law Enforcement Ammunition from Florida Bullet, Inc., a sole source vendor, upon such costs having been approved by the Chief of Police. (POLICE DEPT.)
- 3.** Second reading and public hearing of proposed ordinance approving the temporary closure of a portion of West 8 Court, between West 23 Street and West 25 Street, to all vehicular traffic, except the road shall remain open to pedestrians and any vehicular traffic necessary to serve the needs of the properties directly abutting the portion of the closed right-of-way, for a length of 423 feet, more or less, and more particularly

described in the surveyor's legal description and location sketch attached hereto and made a part hereof as Exhibit "A". (ADMINISTRATION)

Item was approved by the City Council on first reading on September 23, 2014.

4. Second reading and public hearing of proposed ordinance vacating a portion of West 21 Street, south of the road Centerline, 15 feet wide, more or less, for a length of 268 feet, more or less, dedicated to the public for use as right-of-way pursuant to the Plat of Florida Fruit Lands Company's Subdivision No. 1, as recorded in Plat Book 2, at Page 17, of the public records of Miami-Dade County, Florida. **Property located west of West 4 Avenue, Hialeah, Florida**, and more particularly described in the surveyor's legal description and location sketch attached hereto and made a part hereof as Exhibit "A". (ADMINISTRATION)

Item was approved by the City Council on first reading on September 23, 2014.

5. First reading of proposed Ordinance Amending Chapter 98 Entitled "Zoning" Of The Code of ORDINANCES and in particular amending Hialeah Code § 98-2122 entitled "Electric Fences" creating an exception from the prohibition for property in districts zoned Industrial (M); providing for height, a perimeter non-electrically charged fence surrounding the electric fence, warning signs and other restrictions applicable to electric fences; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved by the Planning and Zoning Board on October 8, 2014.

6. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Vincent Rodriguez, subject to civil service rules and regulations, to the position of Director of Construction & Maintenance. (ADMINISTRATION)
7. Pursuant to Section 2.01 of the City's Charter, Mayor Hernandez appoints Grisel Torralbas, subject to civil service rules and regulations, to the position of Library Administrator. (ADMINISTRATION)
8. Board Appointments
9. Unfinished Business
10. New Business
11. Comments and Questions

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision item.

Attention Applicants: Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's

signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

ZONING

PZ 1. First reading of proposed ordinance rezoning Block 36B, of Amended Plat of the Amended Plat of Thirteenth Addition to Hialeah, as recorded in Plat Book 34, at Page 26, of the Public Records of Miami-Dade County, from the existing zoning districts of R-3 (Multiple Family District), P (Parking) and C-1 (Restricted Retail Commercial) to C-2 (Liberal Retail Commercial District) and granting a Variance Permit to allow four stories and a total height of 84 feet to the parapet line of the penthouse, where a maximum of three stories and a total height of 40 feet to the parapet line is allowed, and allow a 2 foot landscape buffer along East 25 Street, where a 7-foot landscape buffer is required, contra to Hialeah Code §§ 98-1119 and 98-2197. **Property located at the northwest corner of the intersection of East 25 Street and East 5 Avenue bounded to the north by East 26 Street and the west by East 4 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Leon Medical Centers, Inc.*)

Approved by the Planning and Zoning Board on October 8, 2014.

PZ 2. First reading of proposed ordinance granting a Variance Permit to allow one duplex on each of two substandard lots, the first lot having a frontage of 42.50 feet, where at least 75 feet are required, and an area of 5,197 square feet, where at least 7,500 square feet are required, a front and rear setback of 20 feet, where 25 feet are required, an interior side setback of 5.1 feet, where 7.5 feet are required, a corner side setback of 5.1 feet, where 15 feet are required, and a lot coverage of 40%, where a maximum of 30% is allowed, and the second lot having a frontage of 50 feet, where at least 75 feet are required, and an area of 6,115 square feet, where at least 7,500 square feet are required, a rear setback of 20 feet, where 25 feet are required, and east side setback of 5.1 feet, where 7.5 feet are required, and a lot coverage of 39.2%, where a maximum of 30% is allowed, contra to Hialeah Code §§ 98-544, 98-545, 98-546, 98-547 and 98-2056(b). **Property located at 568 West 22 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: ICON Investments Properties Inc.*)

Approved by the Planning and Zoning Board on October 8, 2014.

PZ 3. First reading of proposed ordinance granting a Special Use Permit (SUP) to allow the operation of a Metal Recycling Facility on property zoned M-1 (Industrial District). **Property located at 4925-4930 East 11 Avenue, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date. (*Applicant: Lazaro Magua*)

Approved by the Planning and Zoning Board on October 8, 2014.

PZ 4. Recommendation of denial by the Planning and Zoning Official for a Variance Permit to allow the construction of a single-family residence on a substandard lot, having a frontage of 40' (75' required) and total area of 5,501 square feet, more or less, (7,500 square feet required). **Property located at 758 East 30 Street, Hialeah, Florida**, zoned R-1 (One Family District). (*Applicant: Laura Safonts/Luxury Events Rentals, Inc.*)

Item was denied by the Planning and Zoning Board on October 8, 2014.

NEXT CITY COUNCIL MEETING: October 28, 2014 at 7:00 P.M.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: November 25, 2014 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).